

REMARKS

Claims 1-44 are pending in the application.

Claims 45-71 have been canceled.

Claim 22 has been amended. Support for this amendment can be found, at least, on page 12 of the specification. No new matter has been added by this amendment.

Claims 1-44 stand rejected.

Restriction Requirement

Claims 1-71 were presented for examination. The Examiner has required restriction to one of the following inventions under 35 U.S.C. § 121:

Group I. Claims 1-44, drawn to a method and system for joining a meet-me conference call, classified in Class 379, subclasses 204.01.

Group II. Claims 45-65, drawn to a method and system for adding a user to a conference call which involves querying multipoint controllers and receiving messages from client conference manager, classified in Class 379, subclass 202.01.

Group III. Claims 66-71, drawn to electrical circuitry in a conferencing terminal, classified in Class 379, subclass 387.01.

During a telephone conversation between the Examiner and Applicants' representative on March 2, 2004, a provisional election was made without traverse to prosecute the invention of Group I, claims 1-44. Affirmation of this election is hereby given. Claims 45-71 were withdrawn from further consideration by the Examiner as being drawn to a non-elected invention. Applicants have cancelled the non-elected claims 45-71.

Rejection of Claims under 35 U.S.C. §102

Claims 1-8, 10, 12, 18-20, 22-29-, 31, 33, 39-41, 43, and 44 stand rejected under 35 U.S.C. §102(e) as being anticipated by Sun et al., U.S. Patent No. 6,501,740 (hereinafter referred to as "Sun"). Applicants respectfully traverse this rejection.

The cited art fails to anticipate, teach, or suggest "presenting an option to specify a quorum associated with a meet-me conference call, in response to user input to an application program co-resident with a terminal," as recited in claim 1. The Examiner cites col. 3, lines 10-28, col. 9, lines 3-17, and col. 9, lines 1-10 of Sun as teaching these features of claim 1. The cited portions of the reference recite:

"Conferees 311 and 312 connect to a PSTN conference bridge 313 through the connection-oriented PSTN 314. In this embodiment, conferee 312 earlier preconfigured the bridge to accept and/or establish calls for a named teleconference for a predetermined list of participants, each of whom would be authenticated by submitting a prearranged password using DTMF signals upon a recorded audio prompt from the bridge 313. Bridge 313 is also preconfigured to host other teleconferences, so that callers to the bridge must identify the named conference to which they intend to join. In this embodiment, the teleconference name is a three digit DTMF sequence that identifies the conference and serves to distinguish it from other conferences hosted on the same bridge 313. Conferees 311 and 312 communicate to bridge 313, select the appropriate conference to join and authenticate themselves using DTMF signals in well known fashion." Sun, col. 3, lines 10-28. "An embodiment of the method of adding a new connectionless conferee to a teleconference in accordance with the present invention is shown in FIG. 8. The call server determines if the conferee has been authenticated through his browser 811. If not, the call server attempts to authenticate the conferee 812. Once the conferee has been authenticated, he [sic] call server determines which teleconferences the conferee is authorized to join 813. A list of such authorized conferences is presented to the conferee through his browser 814. The call server waits for the conferee to join a conference by selecting the conference from the list 815. Once the conferee has selected a conference, the call server determines if the conference is in progress 816. If the conference has already terminated, the call server downloads a file comprising the recorded teleconference to the conferee's computer 817... If the selected teleconference is in progress, the call server sends and receives the appropriate connectionless signals to and from the conferee 818." Sun, col. 9, lines 1-20.

The cited portions of Sun are concerned with authenticating callers to a bridge and allowing the user to download a recording of a conference if the conference has already

terminated. The cited portions of Sun teach that a conference call can have a predetermined list of participants. However, having a predetermined list of potential participants is clearly not the same as specifying a quorum. Additionally, no portion of the reference has been cited as teaching “presenting an option” to specify a quorum. For at least these reasons, claim 1 is patentable over the cited art. Claims 2-8, 10, 12, 18-20, 22-29-, 31, 33, 39-41, 43, and 44 are patentable over the cited art for similar reasons.

Rejection of Claims under 35 U.S.C. §103

Claims 9, 11, 13-17, 30, 32, and 34-38 stand rejected under 35 U.S.C. §103(e) as being unpatentable over Sun in view of Eaton et al., U.S. Patent No. 5,483,588 (hereinafter referred to as “Eaton”). Applicants respectfully traverse this rejection, for at least the reasons given above with respect to claim 1.

Additionally, Applicant notes that neither Sun nor Eaton, either alone or in combination, teaches or suggests “presenting an option to specify a quorum associated with a meet-me conference call, in response to user input to an application program co-resident with a terminal.” As discussed above with regard to claim 1, Sun fails to teach or suggest this feature.

Eaton also fails to teach or suggest this feature, both alone and in combination with Sun. The Examiner states, “Eaton teaches that it was well known in the art to have conferencing system in which the system presents an option to specify a quorum associated with a meet-me conference call including presenting an option to join the conference call after at least one designated user either joins or is waiting to join the meet-me conference call.” Office Action, p. 7. The cited portions of Eaton recite:

“When scheduling a conference call, the system prompts the caller as to whether is [sic] conference call is to be held immediately or in the future, steps 608 and 616. If it is determined in step 608 that the conference call is to be held immediately, steps 609-615 are processed. In step 609, the system prompts the call for the length and number of parties.” Eaton, col. 10, lines 17-23. “If the conference call is not locked and either the valid password is given or if a password is not required, access to the conference call is granted. When this happens, the system determines whether the caller is the first party to log into the conference call, step 912. If the caller happens to be the first attendee, a determination is made as to whether that caller is a talker, step 912. If a caller who is a talker happens

to be the first attendee, the system informs the caller in step 914, 'You are the first party to join the conference call. We will connect you with the next party as soon as they join.' The caller then waits until the next caller joins, step 916. If it is determined in step 913 that the caller is not a talker, then the system informs the caller, 'You will be attending this conference call as a listen only attendee. If you speak, others on the conference call will not be able to hear you. The call leader has not yet arrived. Please wait.' step 915. The caller is then placed on hold until a next caller calls in and is connected, step 916. If it is determined in step 912 that the caller is not the first attendee to the conference call, then a subsequent determination is made as to whether the caller or one of the prior attendee is a talker, step 919. If a talker has yet to call in to the conference call, step 916 is executed. Otherwise, the caller joins the conference call as an attendee and the conference call begins between the first two 'talker' attendees who called in, steps 920 and 921." Eaton, col. 13, lines 21-48.

The first cited portion of Eaton (col. 10, lines 17-23) states that the system can prompt a caller for the number of parties to a conference call. This is clearly not the same as presenting an option to specify a quorum. The next cited portion of Eaton (col. 13, lines 21-48) describes how a caller to the conference call is handled. If caller of a certain class (non-talker) is the first caller to log into a conference call, the caller is placed on hold until a caller of another class (talker) is connected to the conference. It is noted that throughout this process, Eaton does not disclose presenting an option to specify a quorum in response to user input or presenting an option to join the conference after at least one designated user either joins or is waiting to join the meet-me conference call. Instead, the caller is automatically handled in a particular way, based on whether the caller is the first caller and/or a talker. Accordingly, the cited portions of Eaton, both alone and in combination with Sun, do not teach or suggest presenting an option to specify a quorum, as recited in claim 1. These portions of Eaton, both alone and in combination with Sun, also fail to teach or suggest "presenting an option to join the conference call after at least one designated user either joins or is waiting to join the meet-me conference call," as recited in claim 9.

Furthermore, there is no suggestion to combine the references. "To support the conclusion that the claimed combination is directed to obvious subject matter, either the references must expressly or impliedly suggest the claimed combination or the examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references...

[S]implicity and hindsight are not the proper criteria for resolving the issue of obviousness.” *Ex Parte Clapp*, 227 U.S.P.Q. 972, 973 (Bd. Pat. App. & Int’f 1985). The stated motivation for modifying Sun according to the teaches of Eaton is: “so that only designated talkers can determine who is allowed to enter and talk in the conference and so that the designated talkers can be aware of all users who are waiting.” Office Action, p. 8. However, the cited portions of Eaton do not teach that the talkers are either aware of which users are waiting or able to determine who is allowed to enter and talk in the conference. Instead, it appears that the talkers are simply handled automatically, based on their status as talkers, in such a way that talkers are able to be heard by other talkers and non-talkers attending the conference. Accordingly, the motivation cited by the Examiner for combining the references is not found in the references. Furthermore, combining Eaton with Sun does not provide a system that provides the ability to allow only designated talkers to determine who is allowed to enter and talk in the conference and to allow designated talkers to be aware of all users who are waiting. It is also noted that neither being aware of all users who are waiting to attend a conference nor being able to determine who is allowed to enter and talk in a conference teaches or suggests presenting an option to specify a quorum.

*Notice of Draftsperson’s Patent Drawing Review*

In the Notice of Draftsperson’s Patent Drawing Review received with the Office Action, the Draftsperson objected to the drawings. Pursuant to 37 C.F.R. § 1.111(b), Applicants respectfully request that objections or requirements as to form not necessary to further consideration of the claims be held in abeyance until an indication of allowable subject matter is received.

CONCLUSION

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at 512-439-5087.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 5, 2004.

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Date of Signature

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